

ORDINANCE/LEGISLATIVE COMMITTEE

**Sub-Committee of the Newberg City Council
Wednesday, 7:00 a.m. - September 18, 1996
Newberg Public Library**

Members:

**Mayor Donna Proctor
T. Dan Wollam, Chairman
Donna McCain, Council
Shannon Stueckle, Member**

Staff:

**Duane R. Cole (DRC), City Manager
Terrence D. Mahr (TDM), City Attorney
Peggy R. Hall, Paralegal**

Absent: Bob Engelke, Member

I. Municipal Court - Update

TDM reviewed the Municipal Court revenues/weekly activity report. TDM and Peggy Hall noted that revenues and collections are up from last year due to increased suspension activity.

Discussion was held concerning Diana Turner's leaving the position of Bailiff. Diana has been with the City for a number of years and she will be missed. The Court staff and the Legal Department are pursuing other avenues in hiring an interpreter to assist the Court in translation services for the Hispanic defendants. Chairman Wollam indicated that YCAP also has interpreters available. TDM noted that Alan Kuykendall, reserve police officer with Newberg Police Department, will be assisting the Court as bailiff. Interpretation services are provided by Robin Steele, Assistant Court Clerk.

Discussion was held concerning the meeting with the City's defense lawyers (Brad Berry, Jill Fox, Michael Levi and Steve Palmer). The meeting involved the present \$40 hourly rate, more money, the City's budget, determination and explanation of violations and crimes, except DUI's. TDM indicated that he would check with other agencies to see what they paid for indigent defense/court appointed attorneys and report back to the Committee on his findings.

TDM reviewed with the Committee the background for a violations bureau which would help facilitate the flow of citations through the Municipal Court.

Review of the judge would be discussed in future meetings.

II. Continued Business:

1. Noise Ordinance

Discussion was held concerning the noise ordinance and how it is not effective for parks in residential areas. There continues to be problems with noise complaints on or about Memorial Park (allowances could be made for the annual Old Fashioned Festival in August). The ordinance was to help resolve issues involving private parties in neighborhoods which became too loud for other residents. TDM reviewed the problems that Champoege Park has had even with its rural neighbors. One way that Champoege Park officials handled the matter was to present free tickets to the neighbors.

It was further discussed revisions to the noise ordinance which would exempt the Old Fashioned Festival, permits allowing certain standards in commercial areas and not private residential areas and some exemptions in residential areas. The ordinance could list traditional City events similar to the concerts held at Washington Park, Civic Stadium, Champoege Park and the Portland waterfront.

Chairman Wollam addressed concerns involving "street parties" which would potentially block off certain streets, with approval by the City in the form of permits. Reasonable standards would be in place to allow for the City Manager's discretion of certain events, which would include the notification of all surrounding neighbors.

TDM stated that he would prepare a draft ordinance for the Committee's review of the amendments to Ordinance No. 94-2392 setting out the items discussed at this meeting.

III. Compilation/Code

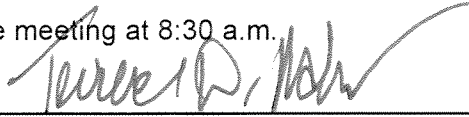
TDM and PRH indicated that they are working on finalizing the first draft of the Development Code and updating the City's compilation. This should be finalized by the end of the month.

IV. New Business

Chairman Wollam stated he would like to discuss cigarettes and minors (accessibility by vending machines), juvenile curfew enforcement (parent responsibility). The State law prohibits cigarette machines in areas that would be accessible to minors. Discussion was held concerning machines located in lobbies of motels, hotels and restaurants/bars. TDM stated that the Newberg Police Department was increasing code enforcement.

IV. Adjournment

Chairman Wollam adjourned the meeting at 8:30 a.m.



Terrence D. Mahr, City Attorney